

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Steven Mah *et al.*

Application No.: 10/578,392  
U.S. National Phase of PCT/US05/47411

Filing Date: December 29, 2005

Title: METHODS OF IDENTIFYING RISK  
OF LOW BMD AND TREATMENTS  
THEREOF

Examiner: not yet assigned

Group Art Unit: not yet assigned

Conf. No.: 2878

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE TO FILE MISSING  
PARTS OF NONPROVISIONAL APPLICATION**

In response to the "Notice to File Missing Parts" mailed on October 2, 2006, please find the attached Power of Attorney, Statement Under 37 C.F.R. 3.73(b), Assignment, Declaration, amendment and fee payment. This response is timely filed on June 27, 2007, before the expiration of thirty-two months from the earliest claimed priority date. Applicant respectfully submits the above-identified patent application is in proper order and in condition for examination.

The Missing Parts Notice lists additional claims fees of \$3,350.00 for a non-small entity. The preliminary amendment filed herewith, however, reduces the number of claims from 55 claims as originally filed to 20 claims. Consequently, Applicant understands no additional claim fees are due. Accordingly, Applicant submits herewith a \$65.00 surcharge fee, a \$300.00 application filing fee and a \$500.00 excess page fee.

In the unlikely event a fee calculation document or other pertinent document is separated from this submission and the Office determines that an extension and/or other relief is required, Applicant petitions for any required relief, including extensions of time, and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. **50-3473**.

Respectfully submitted,

Date: June 27, 2007

By: /Bruce Grant/

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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/578,392	Steven Mah	SEQ4095PC
INTERNATIONAL APPLICATION NO.		
PCT/US05/47411		
I.A. FILING DATE	PRIORITY DATE	
12/29/2005	12/31/2004	
CONFIRMATION NO. 2878		
371 FORMALITIES LETTER		
 2878		

Date Mailed: 10/02/2006

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 05/03/2006
- Copy of the International Search Report filed on 05/03/2006
- Biochemical Sequence Diskette filed on 05/03/2006
- Biochemical Sequence Listing filed on 05/03/2006
- Copy of references cited in ISR filed on 05/03/2006
- U.S. Basic National Fees filed on 05/03/2006
- Priority Documents filed on 05/03/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of **\$3350** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the Inventors, in compliance with 37 CFR 1.497(a) and (b), Identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$3780 for a Large Entity:

• **\$130 Surcharge.**

- The application search fee has not been paid. Applicant must submit \$100 to complete the search fee. Note a surcharge will be required if submitted later than commencement of the national stage (37 CFR 1.492(h)) and the basic national fee was not paid before July 1, 2005.
- The application examination fee has not been paid. Applicant must submit \$200 to complete the examination fee for a non-small entity. Note a surcharge will be required if submitted later than commencement of the national stage (37 CFR 1.492(h)) and the basic national fee was not paid before July 1, 2005.

• Total additional claim fee(s) for this application is \$ 3350

- \$1600 for 8 independent claims over 3.
- \$1750 for 35 total claims over 20.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice MUST be returned with the response.*

MAMIE P PERSON

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**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/578,392	PCT/US05/47411	SEQ4095PC

FORM PCT/DO/EO/905 (371 Formalities Notice)